

REMARKS

Receipt of the Office Action of March 14, 2007, is gratefully acknowledged.

The rejection of claims 9 - 14 as indefinite under 35 USC 112, second paragraph is noted. In reply, claims 9 - 12 and 14 have been amended to render claims 9 - 14 definite. This definiteness can be seen by reference to the preferred embodiment illustrated. The preferred embodiment shows a rig with more than a single flow meter 5 and flow meter calibration cart 7, although one would suffice. Accordingly, the designation "at least one" has been used and all further subsequent references to the meter or calibration cart in the claims uses the phrase "said at least one." which is the phrase used to initially introduce the element. Therefore, there should no longer be any confusion as to intent in claims 9 - 14.

The rejection of claims 9 and 11 - 14 as anticipated under 35 USC 102(b) by Adney et al is also noted and respectfully traversed.

In applying Adney et al, the examiner refers us to the tank 1, the drain shown in Fig. 1 and the flow meter F1 and second meter 19/2 . It is first respectfully submitted that element 2 is a flask and 19 is a scale. Together they do not equal a flow meter calibration cart. Next, the flow meter F1 does not empty into the drain and neither does 19/2. There is no connection to achieve drainage downstream of the meter. Also, it is to be noted that Adney et al does not teach calibration or re-calibration, which is the purpose of the present invention. Adney et al also does not disclose a calibration reference flow meter installed in series with the at least one flow meter or the at least one flow meter calibration cart (claim 11).

Adney et al simply lacks a teaching of all the elements claimed and cannot, therefore, anticipate claims 9 and 11 - 14.

The rejection of claim 15 as anticipated under 35 USC 102(b) is noted and also respectfully traversed.

Claim 15 has been amended to more precisely define the method aspect of the invention. At the very least, Adney et al does not teach "directing the water from the flow meter or the flow meter calibration art to the drain. Without this teaching Adney et al cannot, it is respectfully submitted anticipate claim 15.

In view of the foregoing, entry of the noted amendments to the claims, is respectfully requested, and reconsideration and re-examination are also respectfully requested and claims 9 - 15 found allowable

Respectfully submitted



Felix J. D'Ambrosio
Reg. No. 25,721

Date: June 14, 2007

BACON & THOMAS, PLLC
625 Slaters Lane - 4th Floor
Alexandria, VA 22314
(703) 683-0500

S:\Producer\fd\CLIENTS\Endress+Hauser Holding GmbH\KLEE3001CIP-FL0168\June 14 2007.wpd